

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 ) Case # 3:19-cv-125-MMD-CBC  
9 DAVID M. SEMAS, et al., )  
10 )  
11 Plaintiff(s), )  
12 vs. )  
13 CHEMETALL US, INC., et al., )  
14 Defendant(s). )  
FILING FEE IS \$250.00

**VERIFIED PETITION FOR  
PERMISSION TO PRACTICE  
IN THIS CASE ONLY BY  
ATTORNEY NOT ADMITTED  
TO THE BAR OF THIS COURT  
AND DESIGNATION OF  
LOCAL COUNSEL**

15  
16 Benjamin N. Simler, Petitioner, respectfully represents to the Court:  
(name of petitioner)

17 1. That Petitioner is an attorney at law and a member of the law firm of  
18 Holland & Hart LLP

(firm name)

19  
20 with offices at 555 17th Street, Suite 3200,  
(street address)

21 Denver, Colorado, 80021,  
22 (city) (state) (zip code)

23 303-295-8419, bensimler@hollandhart.com.  
(area code + telephone number) (Email address)

24 2. That Petitioner has been retained personally or as a member of the law firm by  
25 See Attached to provide legal representation in connection with  
26 [client(s)]

27 the above-entitled case now pending before this Court.  
28

3. That since 1-6-2015, Petitioner has been and presently is a  
(date)  
member in good standing of the bar of the highest Court of the State of Colorado  
(state)  
where Petitioner regularly practices law. Petitioner shall attach a certificate from the state bar or  
from the clerk of the supreme court or highest admitting court of each state, territory, or insular  
possession of the United States in which the applicant has been admitted to practice law certifying  
the applicant's membership therein is in good standing.

4. That Petitioner was admitted to practice before the following United States District Courts, United States Circuit Courts of Appeal, the Supreme Court of the United States and Courts of other States on the dates indicated for each, and that Petitioner is presently a member in good standing of the bars of said Courts.

Court	Date Admitted	Bar Number
State Bar of California	12-2-2010	273778
State Bar of Colorado	1-6-2015	48085
District of Colorado	4-2-2014	
Eastern District of Texas	5-5-2014	
US Court of Appeals for the Tenth Circuit	10-10-2017	
Central District of California	11-27-2012	

5. That there are or have been no disciplinary proceedings instituted against petitioner, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

(State "none" if Petitioner has no disciplinary proceedings, etc.) NONE

1           6.       That Petitioner has never been denied admission to the State Bar of Nevada. (Give  
2 particulars if ever denied admission):

3 (State "none" if Petitioner has never been denied admission.) NONE  
4  
5

6           7.       That Petitioner is a member of good standing in the following Bar Associations.

7 (State "none" if Petitioner is not a member of other Bar Associations.) NONE  
8  
9

10          8.       Petitioner has filed application(s) to appear as counsel under Local Rule IA 11-2  
11 (formerly LR IA 10-2) during the past three (3) years in the following matters: (State "none" if no applications.)

Date of Application	Cause	Title of Court Administrative Body or Arbitrator	Was Application Granted or Denied
12			
13			
14			
15			
16			
17			
18			

19                   (If necessary, please attach a statement of additional applications)


20          9.       Petitioner consents to the jurisdiction of the courts and disciplinary boards of the  
21 State of Nevada with respect to the law of this state governing the conduct of attorneys to the same  
22 extent as a member of the State Bar of Nevada.

23          10.      Petitioner agrees to comply with the standards of professional conduct required of  
24 the members of the bar of this court.


25          11.      Petitioner has disclosed in writing to the client that the applicant is not admitted to  
26 practice in this jurisdiction and that the client has consented to such representation.  
27  
28

1 That Petitioner respectfully prays that Petitioner be admitted to practice before this Court  
2 FOR THE PURPOSES OF THIS CASE ONLY.

3  
4 STATE OF Colorado )  
5 COUNTY OF Denver )  
6

  
Petitioner's signature

7 Benjamin N. Simler, Petitioner, being first duly sworn, deposes and says:  
8 That the foregoing statements are true.

9  
  
Petitioner's signature

10 Subscribed and sworn to before me this

11 10<sup>th</sup> day of April, 2019

12   
13 Notary Public or Clerk of Court

14  
15  
16 **WENDY D BRAY**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
**NOTARY ID 19974001709**  
**MY COMMISSION EXPIRES 02/08/2021**

17  
18 **DESIGNATION OF RESIDENT ATTORNEY ADMITTED TO**  
19 **THE BAR OF THIS COURT AND CONSENT THERETO.**

20 Pursuant to the requirements of the Local Rules of Practice for this Court, the Petitioner  
21 believes it to be in the best interests of the client(s) to designate Robert C. Ryan,  
22 (name of local counsel)  
23 Attorney at Law, member of the State of Nevada and previously admitted to practice before the  
24 above-entitled Court as associate resident counsel in this action. The address and email address of  
25 said designated Nevada counsel is:

26 5441 Kietzke Lane, Second Floor,  
27 (street address)  
28 Reno, Nevada, 89511,  
(city) (state) (zip code)  
775-327-3042, rcryan@hollandhart.com,  
(area code + telephone number) (Email address)

1 By this designation the petitioner and undersigned party(ies) agree that this designation constitutes  
2 agreement and authorization for the designated resident admitted counsel to sign stipulations  
3 binding on all of us.  
4

5 **APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

6  
7 The undersigned party(ies) appoint(s) Robert C. Ryan as  
8 his/her/their Designated Resident Nevada Counsel in this case.  
9

10 \_\_\_\_\_  
(party's signature)

11 [SEE ATTACHED]

12 \_\_\_\_\_  
(type or print party name, title)

13 \_\_\_\_\_  
(party's signature)

14 \_\_\_\_\_  
(type or print party name, title)

15  
16  
17 **CONSENT OF DESIGNEE**

18 The undersigned hereby consents to serve as associate resident Nevada counsel in this case.

19  
20   
Designated Resident Nevada Counsel's signature

21 7164

Bar number

rcryan@hollandhart.com

Email address

22  
23 APPROVED:

24 Dated: this 17th day of April, 2019

25   
26 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
27  
28

## Holland & Hart LLP List of Clients

1. Chemeon Surface Technology, LLC
2. Chemetall US, Inc.
3. BASF Corporation
4. QualiChem, Inc.
5. John Schneider & Associates, Inc.
6. Broco Products, Inc.
7. Ronatec C2C, Inc.
8. Electroplating Consultants International, Inc.
9. Southern Industrial Chemicals, Inc.

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC.

Dean Meiling  
(signature)

DEAN MEILING, CFO  
(name and title)

For: CHEMEON SURFACE TECHNOLOGY  
(name of party)

4/1/2019  
Date



## APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David Semas, et al., v. Chemetall US, Inc., et al.* Case No. 3:19-cv-00125-MMD-CBC.

Michaela O'Brien

Michaela O'Brien  
Assistant General Counsel  
BASF Corporation

For: Chemetall US, Inc.

April 2, 2019



## APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David Semas, et al., v. Chemetall US, Inc., et al.* Case No. 3:19-cv-00125-MMD-CBC.

Michaela O'Brien

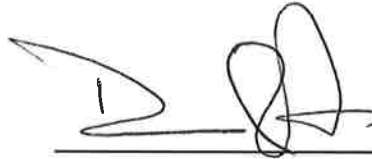
Michaela O'Brien  
Assistant General Counsel  
BASF Corporation

For: BASF Corporation

April 2, 2019

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC.



(signature)

Dennis Bott, Executive Vice President

(name and title)

For: QualiChem, Inc.

(name of party)

4/9/19

Date

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**


The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC.



\_\_\_\_\_  
(signature)



\_\_\_\_\_  
(name and title)



For: \_\_\_\_\_

(name of party)



\_\_\_\_\_  
Date

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada

Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-

CBC.



(signature)

STEPHEN C. BROWN / PRESIDENT

(name and title)

For:

PROCO PRODUCTS, INC.


(name of party)

4/2/19

Date

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC.

  
(signature)

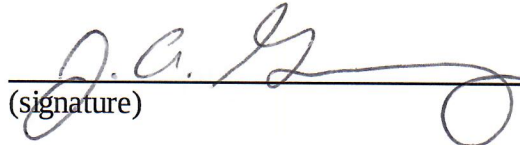
SHAWN J. WETHERALD - President  
(name and title)

For: RONATEC C2C INC  
(name of party)

4/15/2019  
Date

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC.

  
(signature)

Jeffrey A. Guernsey, President  
(name and title)

For: ECI  
(name of party)

4-3-19  
Date

**APPOINTMENT OF DESIGNATED RESIDENT NEVADA COUNSEL**

The undersigned party appoints Robert C. Ryan as its Designated Resident Nevada Counsel in *David M. Semas, et al. v. Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC.

Wayne Q Chandler  
(signature)

Wayne Chandler President  
(name and title)

For: SIC Technologies  
(name of party)

April 2, 2019  
Date





# THE STATE BAR OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1617

TELEPHONE: 888-800-3400

## CERTIFICATE OF STANDING

March 11, 2019


### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, BENJAMIN NICHOLS SIMLER, #273778 was admitted to the practice of law in this state by the Supreme Court of California on December 2, 2010; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Dina DiLoreto  
Custodian of Records

# SUPREME COURT



## State of Colorado,

STATE OF COLORADO, ss:

I, Cheryl Stevens Clerk of the Supreme Court of the State of Colorado, do hereby certify that

Benjamin Nichols Simler

has been duly licensed and admitted to practice as an

ATTORNEY AND COUNSELOR AT LAW

within this State; and that his/her name appears upon the Roll of Attorneys and Counselors at Law in my office of date the 6<sup>th</sup>

day of January A. D. 2015 and that at the date hereof

the said Benjamin Nichols Simler

is in good standing at this Bar.



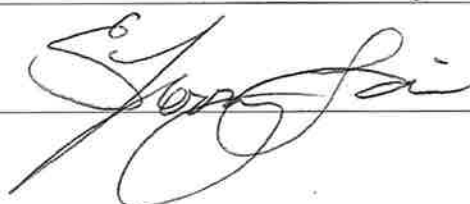
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the Seal of said Supreme Court, at Denver, in said State, this

14<sup>th</sup> day of March A. D. 2019

Cheryl Stevens

Clerk

By



Deputy Clerk